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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	85834316
Applicant	Magnesita Refractories Company
Applied for Mark	MAGNESITA
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Submission	Appeal to CAFC
Attachments	MAGN7003_not_appeal_14JUL16.pdf(137632 bytes)
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Date	07/14/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Magnesita Refractories Company,

Appellant.

Mark: MAGNESITA

Application Nos.: 77873477 and 85834316

NOTICE OF APPEAL TO THE CAFC

Magnesita Refractories Company (hereinafter “Appellant”) hereby petitions/appeals to the United States Court of Appeals for the Federal Circuit (CAFC) from the decision of the Trademark Trial and Appeal Board (“TTAB”) of the United States Patent and Trademark Office entered May 17, 2016, affirming the refusal to register Appellant’s trademark “MAGNESITA” regarding the U.S. Trademark Applications listed above. Appellant is dissatisfied with the decision because the TTAB did not reverse the refusal, and the TTAB does not require the filing of a Certificate of Interest as the CAFC does.

In accordance with Rules 15(b)(1) and 25(b)(1) of the Federal Circuit Rules, a Petition for Review will be filed through CM/ECF for the United States Court of Appeals for the Federal Circuit, together with the Court’s filing fee of \$500. Furthermore, in accord with 37 C.F.R. 2.145 (January 16, 2015) and 104.2 (June 25, 2010), this Notice of Appeal has been served as stated in the following Certificate of Service.

U.S. Application Nos.: 77873477 and 85834316
NOTICE OF APPEAL TO THE CAFC

Respectfully submitted,
Magnesita Refractories Company

Date: July 14, 2016

/Thomas J. Moore/

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CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the undersigned date, I caused to be served a copy of the present document by first class U.S. postal mail addressed to the following:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Date: July 14, 2016

/Thomas J. Moore/

Thomas J. Moore